

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Counsel to the Plan Administrator

In re:

BED BATH & BEYOND, INC., *et al.*,¹

Debtors.

Case No. 23-13359 (VFP)

Chapter 11

Subchapter V: ☐ Yes ☒ No

Obj. Deadline: October 17, 2023

Hearing Date: October 24, 2023

Judge: Vincent F. Papalia

ADJOURNMENT REQUEST

1. I, Paul J. Labov:
☒ am the attorney for: the Plan Administrator.
☐ am self-represented.

and request an adjournment of the following hearing for the reason set forth below.

¹ The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>.

- A. Debtors' (I) Omnibus Objection to Certain Tax Claims and (II) Motion to Determine Tax Liability and Stay Proceedings [Docket No. 2156] **with respect to: Bexar County Appraisal District [Docket No. 2432]; Certain Texas Taxing Entities [Docket No. 2483]; Texas Taxing Authorities [Docket No. 2492]; and the McCreary Entities [Docket No. 2497] only.**
- B. Debtors' Motion to Determine Tax Liability and Stay Proceedings [Docket No. 2157] **with respect to: Taxing Districts Collected by Randall County [Docket No. 2484]; and Taxing Districts Collected by Bell County [Docket No. 2487] only.**
- C. Debtors' (I) Second Omnibus Objection to Certain Tax Claims and (II) Motion to Determine Tax Liability and Stay Proceedings [Docket No. 2180] **with respect to: Treasurer/Tax Collector for the County of Orange [Docket No. 2476]; Treasurer/Tax Collector for the County of San Mateo [Docket No. 2477]; Treasurer/Tax Collector for the County of San Diego [Docket No. 2478]; Treasurer/Tax Collector for the County of San Bernardino [Docket No. 2481]; County of Kern Treasurer – Tax Collector [Docket No. 2482]; Auditor-Controller-Treasurer-Tax Collector for the County of San Luis Obispo [Docket No. 2503]; and Sacramento County Tax Collector [Docket No. 25123] only.**
- D. Debtors' Motion to Determine Tax Liability and Stay Proceedings as to Certain California Taxing Authorities [Docket No. 2181] **with respect to: Ventura County Tax Collector [Docket No. 2469]; Alameda County Tax Collector [Docket No. 2470]; Treasurer/Tax Collector for the County of Contra Costa [Docket No. 2479]; Santa Clara, LA, Fresno, and Riverside Counties [Docket No. 2491]; County of Sonoma Tax Collector [Docket No. 2504]; Treasurer/Tax Collector for the County of Santa Cruz [Docket No. 2505]; and Placer County only.**

Current objection date and time: October 17, 2023

New objection deadline requested: One week prior to adjourned hearing on motion (for Placer County (CA) only

New date requested: The parties request that the hearing be adjourned for at least 30 days and that the hearing proceed as a status conference.

Reason for adjournment request:

- A. The Claim Objections and Motions (A through D above) were filed by counsel to the Debtors on September 11, 2023 [Docket Nos. 2156 and 2157] and September 15, 2023 [Docket Nos. 2180 and 2181]. The Plan was confirmed on September 14, 2023, and the Plan Administrator was appointed on September 29, 2023. In reviewing all matters that were being transferred for prosecution by the Plan Administrator, the Claim Objections and Motions were flagged. Once the objection deadline passed on October 17, 2023, counsel for the Plan Administrator immediately reached out for counsel to many of the objecting parties informing them that the Plan Administrator would seek an adjournment of the hearing date, currently scheduled for October 24, 2023, for thirty (30) days. Counsel for the Plan Administrator informed counsel for

various objecting parties that it would use the thirty (30) day adjournment to dual-track the process; (i) attempting to negotiate a consensual scheduling order to deal with the various claims and objections thereto, and (ii) attempt to narrow the scope of the objections and possibly enter into settlements. Counsel also informed counsel for various objecting parties that it would request the Court stay all administrative and other State Court proceedings during the pendency of the Motions. At this time, the Plan Administrator and its counsel are still in the process of getting acclimated with these matters.

- B. With respect to Docket No. 2181, proposed counsel for Placer County contacted counsel for the Plan Administrator seeking an extension of the objection deadline with respect to their clients ONLY.

2. Consent to adjournment:

☐ I have the consent of all parties. ☒ I do not have the consent of all parties (explain below).

- A. As stated above, the Plan Administrator, as the newly appointed representative of the Debtors' estate as of the Effective Date, is still in the process of getting acclimated with the above-referenced matters and has not yet been able to successfully reach out to counsel for the various parties.

I certify under penalty of perjury that the foregoing is true.

Date: October 20, 2023

/s/ Paul J. Labov
Signature

COURT USE ONLY:

The request for adjournment is:

- | | | |
|--|---|-------------------------------------|
| <input checked="" type="checkbox"/> Granted | New hearing date: <u>November 14, 2023 at 10:00am</u> | <input type="checkbox"/> Peremptory |
| <input type="checkbox"/> Granted over objection(s) | New hearing date: _____ | <input type="checkbox"/> Peremptory |
| <input type="checkbox"/> Denied | | |

IMPORTANT: If your request is granted, you must notify interested parties who are not electronic filers of the new hearing date.

rev.10/2021